

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 627

Introduced by Thompson, 14; Janssen, 15; D. Pederson, 42;
Tyson, 19; Wehrbein, 2

Read first time January 21, 2003

Committee: Appropriations

A BILL

1 FOR AN ACT relating to state government; to amend sections
2 81-188.01, 81-188.03, and 81-188.05, Revised Statutes
3 Supplement, 2002; to change provisions relating to
4 allocation of revenue from depreciation charges; to
5 provide an operative date; to repeal the original
6 sections; and to declare an emergency.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-188.01, Revised Statutes
2 Supplement, 2002, is amended to read:

3 81-188.01. (1) The State Building Renewal Assessment
4 Fund is created. The fund shall be under the control of the
5 Governor for allocation to building renewal projects of the various
6 agencies and shall be administered in a manner consistent with the
7 administration of the Building Renewal Allocation Fund pursuant to
8 the Deferred Building Renewal Act. No amounts accruing to the
9 State Building Renewal Assessment Fund shall be expended in any
10 manner for purposes other than as provided in this section.
11 Subject to appropriations approved by the Legislature, for any
12 fiscal year an amount not to exceed two percent of the total
13 revenue credited to the fund in the second preceding fiscal year
14 may be expended to meet the cost of administering the act.

15 (2) Revenue credited to the fund shall include amounts
16 derived from charges assessed pursuant to subdivision (6)(b) of
17 section 81-1108.17, depreciation charges remitted pursuant to
18 section 81-188.02, and such other revenue as may be incident to the
19 administration of the fund.

20 (3) Amounts appropriated from the fund shall be expended
21 to conduct renewal work as defined in section 81-173 and to
22 complete other improvements incident to such renewal work as deemed
23 necessary or appropriate by the task force. From amounts accruing
24 to the fund as the result of depreciation charges assessed pursuant
25 to subdivision (6)(b) of section 81-1108.17, expenditures for
26 capital improvements shall be limited to improvements to only those
27 facilities for which such charges have been assessed and remitted.
28 From amounts accruing to the fund as the result of depreciation

1 charges assessed pursuant to section 81-188.02, expenditures for
2 capital improvement projects shall be limited to exclude (a)
3 capital improvement projects relating to facilities, structures, or
4 buildings owned, leased, or operated by the (i) University of
5 Nebraska, (ii) Nebraska state colleges, (iii) Department of
6 Aeronautics, (iv) Department of Roads, (v) Game and Parks
7 Commission, or (vi) Board of Educational Lands and Funds and (b)
8 capital improvement projects relating to facilities, structures, or
9 buildings for which depreciation charges are assessed pursuant to
10 subdivision (6)(b) of section 81-1108.17. ~~Except to conduct~~
11 ~~renewal work of an emergency nature and to meet the cost of~~
12 ~~administering the act, no amounts accruing to the fund as the~~
13 ~~result of depreciation charges assessed pursuant to section~~
14 ~~81-188.02 shall be expended prior to July 1, 2003. For each of~~
15 ~~fiscal years 2003-04 through 2008-09, expenditure of amounts~~
16 ~~accruing to the fund as the result of depreciation charges assessed~~
17 ~~pursuant to section 81-188.02 shall not exceed fifty percent of~~
18 ~~such revenue credited to the fund in the second preceding fiscal~~
19 ~~year. For fiscal year 2009-10 and each fiscal year, task force~~
20 ~~allocations from thereafter, expenditure of amounts accruing to the~~
21 ~~fund as the result of depreciation charges assessed pursuant to~~
22 ~~section 81-188.02 shall not exceed the total of such revenue~~
23 ~~credited to the fund in the second preceding fiscal year.~~

24 (4) Any money in the fund available for investment shall
25 be invested by the state investment officer pursuant to the
26 Nebraska Capital Expansion Act and the Nebraska State Funds
27 Investment Act.

28 (5) The State Treasurer shall transfer one million nine

1 hundred forty-seven thousand one hundred dollars from the State
2 Building Renewal Assessment Fund to the Nebraska Capital
3 Construction Fund within five days after January 1, 2003.

4 (6) The State Treasurer shall transfer one million nine
5 hundred forty-seven thousand one hundred dollars from the State
6 Building Renewal Assessment Fund to the Nebraska Capital
7 Construction Fund within five days after May 1, 2003.

8 Sec. 2. Section 81-188.03, Revised Statutes Supplement,
9 2002, is amended to read:

10 81-188.03. (1) The University Building Renewal
11 Assessment Fund is created. The fund shall be under the control of
12 the Governor for allocation to building renewal projects of the
13 University of Nebraska and shall be administered in a manner
14 consistent with administration of the Building Renewal Allocation
15 Fund pursuant to the Deferred Building Renewal Act. No amounts
16 accruing to the University Building Renewal Assessment Fund shall
17 be transferred to any other fund and no amounts accruing to the
18 fund shall be expended in any manner for purposes other than as
19 provided in this section. Subject to appropriations approved by
20 the Legislature, for any fiscal year an amount not to exceed two
21 percent of the total revenue credited to the fund in the second
22 preceding fiscal year may be expended to meet the cost of
23 administering the act.

24 (2) Revenue credited to the fund shall include amounts
25 derived from depreciation charges remitted pursuant to section
26 81-188.04 and such other revenue as may be incident to the
27 administration of the fund.

28 (3) Amounts appropriated from the fund shall be expended

1 to conduct renewal work as defined in section 81-173 and to
2 complete other improvements incident to such renewal work as deemed
3 necessary or appropriate by the task force. Expenditures from the
4 fund for capital improvements shall be limited to exclude
5 expenditures for capital improvement projects relating to
6 facilities, structures, or buildings from which revenue is derived
7 and pledged for the retirement of revenue bonds issued under
8 sections 85-403 to 85-411. ~~Except to conduct renewal work of an~~
9 ~~emergency nature and to meet the cost of administering the act, no~~
10 ~~amounts shall be expended from the fund prior to July 1, 2003. For~~
11 ~~each of fiscal years 2003-04 through 2008-09, appropriations from~~
12 ~~the fund shall not exceed fifty percent of total revenue credited~~
13 ~~to the fund in the second preceding fiscal year. For fiscal year~~
14 ~~2009-10 and each fiscal year, task force allocations thereafter,~~
15 ~~appropriations from~~ amounts accruing to the fund pursuant to
16 section 81-188.04 shall not exceed total revenue credited to the
17 fund in the ~~second~~ preceding fiscal year.

18 (4) Any money in the fund available for investment shall
19 be invested by the state investment officer pursuant to the
20 Nebraska Capital Expansion Act and the Nebraska State Funds
21 Investment Act.

22 Sec. 3. Section 81-188.05, Revised Statutes Supplement,
23 2002, is amended to read:

24 81-188.05. (1) The State College Building Renewal
25 Assessment Fund is created. The fund shall be under the control of
26 the Governor for allocation to building renewal projects of the
27 Nebraska state colleges and shall be administered in a manner
28 consistent with the administration of the Building Renewal

1 Allocation Fund pursuant to the Deferred Building Renewal Act. No
2 amounts accruing to the State College Building Renewal Assessment
3 Fund shall be transferred to any other fund and no amounts accruing
4 to the fund shall be expended in any manner for purposes other than
5 as provided in this section. Subject to appropriations approved by
6 the Legislature, for any fiscal year an amount not to exceed two
7 percent of the total revenue credited to the fund in the second
8 preceding fiscal year may be expended to meet the cost of
9 administering the act.

10 (2) Revenue credited to the fund shall include amounts
11 derived from depreciation charges remitted pursuant to section
12 81-188.06 and such other revenue as may be incident to
13 administration of the fund.

14 (3) Amounts appropriated from the fund shall be expended
15 to conduct renewal work as defined in section 81-173 and to
16 complete other improvements incident to such renewal work as deemed
17 necessary or appropriate by the task force. Expenditures from the
18 fund for capital improvements shall be limited to exclude
19 expenditures for capital improvement projects relating to
20 facilities, structures, or buildings from which revenue is derived
21 and pledged for the retirement of revenue bonds issued under
22 sections 85-403 to 85-411. ~~Except to conduct renewal work of an~~
23 ~~emergency nature and to meet the cost of administering the act, no~~
24 ~~amounts shall be expended from the fund prior to July 1, 2003. For~~
25 ~~each of fiscal years 2003-04 through 2008-09, appropriations from~~
26 ~~the fund shall not exceed fifty percent of total revenue credited~~
27 ~~to the fund in the second preceding fiscal year. For fiscal year~~
28 ~~2009-10 and each fiscal year, task force allocations thereafter,~~

1 ~~appropriations~~ from amounts accruing to the fund pursuant to
2 section 81-188.06 shall not exceed total revenue credited to the
3 fund in the ~~second~~ preceding fiscal year.

4 (4) Any money in the fund available for investment shall
5 be invested by the state investment officer pursuant to the
6 Nebraska Capital Expansion Act and the Nebraska State Funds
7 Investment Act.

8 Sec. 4. This act becomes operative on July 1, 2003.

9 Sec. 5. Original sections 81-188.01, 81-188.03, and
10 81-188.05, Revised Statutes Supplement, 2002, are repealed

11 Sec. 6. Since an emergency exists, this act takes effect
12 when passed and approved according to law.